



**First-tier Tribunal
General Regulatory Chamber
(Information Rights)**

Office stamp (date received)

**FIRST-TIER TRIBUNAL APPLICATION
FOR
PERMISSION TO APPEAL TO UPPER TRIBUNAL**

This form should be used when making an application to the First-tier Tribunal (Information Rights) for permission to appeal to the Upper Tribunal. You **must** apply to the First-tier Tribunal (Information Rights) for permission to appeal before you can make an appeal to the Upper Tribunal.

Please Read the guidance notes before completing the application for permission to appeal. Use black ink and complete the form in **CAPITALS** or in typewriting. If necessary please continue on a separate sheet of paper if there is not enough space. Please put your name at the top of any additional sheets.

A Appellant details	
Name of party applying for permission to appeal	David Moss
Title or company or organisation (if any)	Mr
First name	David
Surname	Moss
Address	<redacted>
Telephone number	<redacted>
Email address	BCSL@blueyonder.co.uk
Do you have a representative?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please give details below
Name of organisation or business (if any)	
Contact name	
Address	
Telephone number	
E-mail address.	
Reference number (if any)	

B**About the decision of the First-tier Tribunal (Information Rights)**

Appeal reference number:

EA/2011/0081

Date of written reasons for
The decision:

24 April 2012

When did you receive the written
reasons for the decision?

24 April 2012

If appropriate, date of notification or
amended reason for, or correction
of, the decision following a review or
(if later) the date of notification that
any application for the decision to be
set aside has been unsuccessful**C****Time limit for applying to the First-tier Tribunal (Information Rights) for permission to appeal to the Upper Tribunal**

Your completed application for permission to appeal should reach the Tribunal Service within 28 days of the First-tier Tribunal (Information Rights) sending you notice of the decision you wish to appeal against.

If it is to reach the Tribunal after 28 days you must ask for an extension of time giving your reasons as to why the application is late.

I request that the time limit for making the application be extended:

Reasons why the application is made late (if applicable)

D**Reasons for applying for permission to appeal and the outcome you are seeking:**

Please state what **error(s) of law** you consider the Tribunal has made and what outcome you are seeking:

The reasons for the application for permission to appeal are set out in the attached document APA EA20110081.pdf.

The outcome sought is that the Appellant should not have to make this appeal.

Making the appeal entails accusing the EA20110081 panel of perversity and the Appellant doesn't believe for one moment that they really are perverse. But that is what is entailed by the perversity of the situation we all find ourselves in, c.f. paragraph 8 of the 24 April 2012 Decision attached.

At any point over the past two years the Home Office could have released a report which both justifies its investment of public money in their chosen biometrics and does so without threatening the commercial interests of IBM and/or the biometrics suppliers. They still could, at which point the Appellant could gratefully withdraw his appeal and we could all stop fencing.

Or the Home Office could announce that, on further reflection, in view of new test results, or budget cuts, or staffing issues, or human rights, or whatever, their reliance on face recognition and flat print fingerprinting must now be suspended. Same outcome – instant withdrawal of the appeal and we could all find some other way to occupy our time.

Absent that, in the public interest, which will not go away, we must all go on.

If you want to say more, please use another sheet of paper, please add your name and appeal number any extra pages

E**Stay or suspension of decision of the First-tier Tribunal (Information Rights) pending appeal**

Do you wish to apply for a stay or suspension of the decision that you are seeking to appeal?

Yes No

Reasons why you are applying for a stay or suspension of the decision (if applicable)

It may be quicker than going to the Upper Tribunal and more appropriate. As a litigant in person, the Appellant will be guided in this matter by the tribunal.

It may also be cheaper. The Appellant will work the hours needed for this appeal but cannot afford fees or costs.

F**Application for Permission to Appeal to the Upper Tribunal**

I apply for permission to appeal to the Upper Tribunal

Signature of Appellant or Solicitor:

<redacted>

Date:

21 / 05 / 2012

Please post, e-mail or fax this completed form, together with a copy of the final decision to which this application relates, and any other supporting documents, to:-

First-tier Tribunal (Information Rights)

Arnhem House Support Centre

PO Box 9300

Leicester LE1 8DJ

Email: informationtribunal@hmcts.qsi.gov.uk

Fax : 0116 249 4253

Once your application has been received, it will be considered by a Tribunal Judge and you will be informed of the outcome.

We can help if you need information in a different format (e.g. Braille, large print). We can also provide this form in Welsh if required. If you need any of these services please contact the First-tier Tribunal (Information Rights)

This form can also be downloaded from our website:

<http://www.justice.gov.uk/global/forms/hmcts/tribunals/information-rights/index.htm>